

DISCUSSION OF THE AMENDMENT

Due to the length of the specification herein, Applicants will cite to the paragraph number of the published patent application (PG Pub) of the present application, i.e., US 2005/0113424, when discussing the application description below, rather than to page and line of the specification as filed.

Claims 1-10 have been canceled and replaced with new Claims 11-20, which correspond to Claims 1-10, respectively, with the following changes. In Claim 11, the term “an unprotected or protected” has been deleted for some occurrences in the Markush group for R^{7a} , and by inserting Markush groups for the various substituents for various groups when substituted (referred to as “the substituent” in the claims) and Markush groups for the various protecting groups, as supported in the specification at paragraphs [0024]-[0035]. In addition, G^1 has been limited to an oxygen atom, G^2 has been limited to a carbon atom, and R^2 has been limited to a group represented by formula (3). The dependent claims have been drafted, in part, to be consistent with these changes. Claims 14-17 similarly contain Markush groups for such substituents and/or protecting groups. Finally, the term “derivative” has been replaced with --compound-- in all claims.

No new matter is believed to have been added by the above amendment. Claims 11-20 are now pending in the application.

REMARKS

Applicants thank the Examiner for the courtesy extended to Applicants' attorney during the interview held May 14, 2007, in the above-identified application. During the interview, the Examiner acknowledged that the Office Action did not take the Preliminary Amendment filed September 2, 2004, into consideration, and therefore, it was error to not treat Claims 4-7 and 10 on the merits, because these claims were not improper multiply dependent claims. The Examiner also acknowledged that the withdrawal of the species election stated at paragraph 3 of the Office Action was, in effect, a withdrawal of the substance of the Office Action of October 27, 2006.

The rejection of Claims 1 and 2 under 35 U.S.C. § 102(b) as anticipated by Loeffler et al, *Journal of Medicinal Chemistry*, Vol. 18, No. 3, pp. 287-292, 1975 (Loeffler et al), is respectfully traversed. The Examiner particularly relies on compound 44 therein. However, R² is now limited to formula (3), neither disclosed nor suggested by Loeffler et al. Accordingly, it is respectfully requested that this rejection be withdrawn.

The rejection of Claims 1-3 under 35 U.S.C. § 112, second paragraph, is respectfully traversed.

Indeed, the rejection is now moot in view of the above-discussed amendment for paragraph A of the rejection. For paragraphs B and C, it is respectfully submitted that persons skilled in the art would be able to choose applicable substituents when various groups are substituted, and/or various protecting groups when various groups are protected, based on the disclosure in the specification and the knowledge of such persons. Nevertheless the rejections in paragraphs B and C are moot as well, in view of the above-discussed amendment. Accordingly, it is respectfully requested that the rejection be withdrawn.

The objection to Claims 4-7 and 10 as being in improper multiply dependent form, is respectfully traversed. As discussed above, the Preliminary Amendment eliminated improper

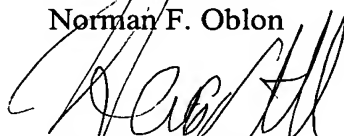
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multiple dependency. Accordingly, it is respectfully requested that this objection be withdrawn.

Applicants gratefully acknowledge the Examiner's allowance of Claims 8 and 9. Nevertheless, Applicants respectfully submit that all of the presently-pending claims are now in immediate condition for allowance. If the Examiner disagrees, then Applicants further submit that if the next Office Action is not a Notice of Allowance, then it not be made Final, in view of the Examiner's non-examination of Claims 4-7 and 10 on the merits.

Respectfully submitted,

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